

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LAMONT MONTY TOBY JACOBS,

Plaintiff,

V.

## INDERSTYES COMPANY,

Defendant.

Case No. C10-5049 RBL

**ORDER ADOPTING REPORT AND  
RECOMMENDATION DENYING  
APPLICATION TO PROCEED IN  
*FORMA PAUPERIS* AND  
DISMISSING COMPLAINT**

The Magistrate Judge recommends that this civil rights action be dismissed for failure to comply with the Court's order to complete an application to proceed in *forma pauperis*.

On March 8, 2010, Plaintiff's application to proceed *in forma pauperis* was found deficient as the Magistrate Judge was unable to determine eligibility for *in forma pauperis* status based on the information submitted. Plaintiff was ordered to show cause no later than March 26, 2010, why his application should not be denied or to cure the deficiency. Plaintiff has failed to avail himself of the opportunity to cure the deficiencies.

## ACCORDINGLY,

**IT IS ORDERED:**

- (1) The Magistrate Judge's Report and Recommendation is approved and adopted.
- (2) This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

## ORDER - 1

1 (3) The Clerk is directed to send copies of this Order to Plaintiff and any other party that  
2 has appeared in this action.

3 DATED this 10<sup>th</sup> day of May, 2010.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE  
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